

32692

Customer Number

Request for Continued Examination (RCE) Transmittal

Mail Stop RCE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

In re Application of: Stephen O'Hara
 Application No.: 10/576,631
 Filed: April 16, 2007
 Title: USING NUCLEIC ACIDS FOR CLINICAL MICROBIOLOGY TESTING

Confirmation No.: 5768
 Group Art Unit 1645

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

1. Submission required under 37 CFR § 1.114 *Note:* If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless Applicant instructs otherwise. If Applicant does not wish to have any previously filed unentered amendment(s) entered, Applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on ____.

ii. ☐ Other:

b. ☒ Enclosed:

i. ☒ Amendment and Response and Request for Extension of Time (9 pgs.)

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)/Supplemental IDS

iv. ☐ Other:

2. ☒ A Request for Extension of Time is being filed concurrently.

3. Fees: The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.

☒ The RCE fee required under 37 CFR § 1.17(e) will be made at the time of submission via EFS-Web. In the event fees are not or cannot be paid at the time of EFS-Web submission, please charge any fees under 37 CFR § 1.17 which may be required to Deposit Account No. 13-3723.

☐ The Director is authorized to charge the RCE fee required by 37 CFR § 1.17(e) to Deposit Account No. 13-3723. A duplicate copy of this transmittal for fees processing is enclosed.

☒ Please charge any additional fees associated with the prosecution of this application to Deposit Account No. 13-3723. This authorization includes the fee for any necessary extension of time under 37 CFR § 1.136(a). To the extent any such extension should become necessary, it is hereby requested.

☒ Please credit any overpayment to the same deposit account.

Respectfully submitted,

 April 8, 2009
 Date

By: Michael G. Williams
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#671730 RCE Transmittal
 Office of Intellectual Property Counsel
 3M Innovative Properties Company
 Facsimile No.: (651) 736-3833

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at 571-273-8300 or if filing with a Petition to Withdraw from Issue to: 571-273-0025.

☒ transmitted to United States Patent and Trademark Office on the date shown below via the Office electronic filing system.

 April 8, 2009
 Date

Signed by: Judy L. Hansen